

**REMARKS/ARGUMENTS**

Claims 1-13 and 5-22 are rejected under the second paragraph of 35 USC 112 as being incomplete for omitting essential structural cooperative relationships which form a gap between necessary structural connections. In particular, the omitted structural cooperative relationships were listed as: (1) the connecting conduits feeding the filter and removing residue and filtered materials from the filter and recirculating back to the system; (2) the feed by-pass; (3) directing the feed to the first filter fluid path or second filter fluid path; and (4) pumps control valves connected to the system. This rejection is respectfully traversed.

The specification describes at length inventions which include flowpaths. (See, for example, page 12, lines 17-21; page 13, line 19 through page 14, line 17; page 16, lines 14-20; page 17, line 19 through page 18, line 8; page 21, lines 1-5; page 22, lines 14-21; and page 23, line 11 through page 24, line 2.) The claims reflect the specification's express description of flowpaths. While the various flowpaths may be implemented in a wide variety of ways, including, for example, by any number and arrangement of conduits, bypasses, pumps, valves and other features, none of these implementing features are described in the specification as essential. Consequently, it is respectfully contended that none of the claims are incomplete.

Claims 1-3 and 5-22 were rejected under 35 USC 112, second paragraph, as being indefinite for various listed reasons. This rejection is respectfully traversed. Claims 11 and 14 were amended in the previous amendment, so the rejection as to claims 11 and 14 is now moot. The remaining claims are not indefinite for many reasons, including the reasons set forth in the previous amendment.

The rejection of claims 19-21 as anticipated by EP 0 095 850 is respectfully traversed. Claim 19 defines a filtration system in which a manifold is connected to filters for circulation of fluid in parallel through the filter flowpaths. Figure 2 of EP 0 095 850 discloses valving which prohibits flow in parallel through membrane modules 12 and 16. Claim 19 further defines a filtration system which is selectively operable to pass fluid from a manifold to at least one but not all of the filters. Figure 3 of EP 0 095 850 discloses membrane modules 16, all of which are fed in parallel any time fluid is supplied to them. In no instance is fluid supplied to at least one but not all of the membrane modules 16. Thus, nothing in EP 0 095 850 discloses each and every element of independent claim 19 or dependent claims 20 and 21.

Claims 1-3, 5-7, 9, 10 and 13 were rejected as being unpatentable over EP 0 095 850. Independent claim 1 and independent claim 10 each define filtration systems in which a second continuous flow path has a lower volume than a first continuous flowpath. As noted in the previous response EP 0 095 850 fails to disclose or support this feature.

Further, claim 1 defines a filtration system comprising means for passing fluid to a second continuous flowpath from a portion of a first continuous flowpath that is not included in the second continuous flowpath. Claim 10 defines a filtration system which is selectable operable between a first state in which fluid circulates in parallel through a plurality of filters and a second state in which fluid circulates through at least one but not all of the filters. Nothing in EP 0 095 850 discloses or suggests these features of claim 1 and 10. Consequently, both of these claims, as well as dependent claims 2, 3, 5-7, 9 and 13, are patentable over EP 0 095 850.

Respectfully submitted,



---

John M. Belz, Reg. No. 30,359  
LEYDIG, VOLLMER & MAYER  
700 Thirteenth Street, N.W., Suite 300  
Washington, DC 20005-3960  
(202) 737-6770 (telephone)  
(202) 737-6776 (facsimile)

Date: *6 Sept 2005*